

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

DIJON BERNARD,	)	Case No. 2:23-cv-06384-SB-DTB
	)	
Plaintiff,	)	<b>ORDER ACCEPTING FINDINGS,</b>
	)	<b>CONCLUSIONS AND</b>
v.	)	<b>RECOMMENDATIONS OF</b>
	)	<b>UNITED STATES MAGISTRATE</b>
LOS ANGELES COUNTY	)	<b>JUDGE</b>
METROPOLITAN	)	
TRANSPORTATION AUTHORITY,	)	
	)	
Defendant.	)	

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Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended Complaint, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objections have been made, the Court concurs with and accepts the findings, conclusions, and recommendations of the Magistrate Judge.

Plaintiff has asserted numerous objections that are largely conclusory and fail to demonstrate any material error. To the extent that he attempts to recast his claims or present new theories (e.g., Dkt. No. 55 at 3–4 (alleging new facts concerning Defendant’s knowledge of Plaintiff’s religious beliefs)), this is

1 improper. *See Greenhow v. Secretary of HHS*, 863 F.2d 633, 638 (9th Cir. 1988)  
2 (“[A]llowing parties to litigate fully their case before the magistrate and, if  
3 unsuccessful, to change their strategy and present a different theory to the district  
4 court would frustrate the purpose of the Magistrates Act. We do not believe that  
5 the Magistrates Act was intended to give litigants an opportunity to run one version  
6 of their case past the magistrate, then another past the district court.”). Nor do any  
7 of these new allegations or theories suggest that further amendment would cure the  
8 deficiencies.

9 IT THEREFORE IS ORDERED that Judgment be entered granting  
10 Defendant’s motion for judgment on the pleadings and dismissing without leave to  
11 amend all claims alleged in the Third Amended Complaint against Defendant and  
12 dismissing this action with prejudice.

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14 Dated: November 10, 2025



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STANLEY BLUMENFELD, JR.  
United States District Judge